

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Jason Lamon Kelly**

**Docket No. 4:08-CR-55-1D**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jason Lamon Kelly, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 6, 2009, to the custody of the Bureau of Prisons for a term of 240 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

The period of imprisonment was reduced from 240 months to 216 months on October 6, 2010, pursuant to a Rule 35 motion. On January 7, 2016, pursuant to the defendant's motion for release under the Drug Quantity Table amendment and 18 U.S.C. § 3582(c), the period of imprisonment was reduced from 216 months to 175 months.

On March 15, 2019, the defendant's case was reassigned from Senior U.S. District Judge James C. Fox to U.S. District Judge James C. Dever III.

Jason Lamon Kelly was released from custody on February 19, 2020, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On October 21, 2020, the defendant reported to the office as directed by the probation officer and submitted to drug testing upon request. The result of the instant test was positive for the presence of marijuana. When questioned about the result, the defendant explained that he had been laid off of work due to the COVID-19 pandemic, and he found himself with too much time on his hands. As a result, he reverted to old behaviors and used marijuana rather than seeking other employment. Due to the defendant admitting to his use of marijuana prior to the test being sent to a laboratory for examination, the probation office is recommending the defendant's conditions of supervised release be modified to include participation in a program for the treatment of narcotic addiction, drug dependency, or alcohol dependency, in addition to urinalysis testing. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Julie W. Rosa  
Julie W. Rosa  
Supervising U.S. Probation Officer

/s/ Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8808  
Executed On: October 26, 2020

**ORDER OF THE COURT**

Considered and ordered this 28 day of October, 2020, and ordered filed and  
made a part of the records in the above case.

  
James C. Dever III  
U.S. District Judge